



DEP & REF  
R# 307

# 12

A33403 PCT USA-A - 072854.0114

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Potter et al.  
Serial No. : 09/633,697  
Filed : August 7, 2000  
For : HYDROXYLATION ACTIVATED DRUG RELEASE

REQUEST FOR A REFUND

I hereby certify that this paper is being  
deposited with the United States Postal Service  
as first class mail in an envelope addressed to:  
Commissioner of Patents and Trademarks,  
Washington, D.C. 20231 September 5, 2000  
Date of Deposit

Ronald B. Hildreth 19,498  
Attorney Name PTO Reg. No.  
[Signature] September 5, 2000  
Signature Date of Signature

Assistant Commissioner of Patents and Trademarks

Washington, D.C. 20231

Sir:

Reference is made to the notice published January 20, 1983 at 1027 O.G.

115 entitled "Requirement for Filing of Verified Statements Claiming Small Entity

NY02:281698.1

US PATENT & TRADEMARK  
OFFICE  
2000 SEP 19 PM 4:38  
OFFICE OF FINANCE  
REFUND BRANCH

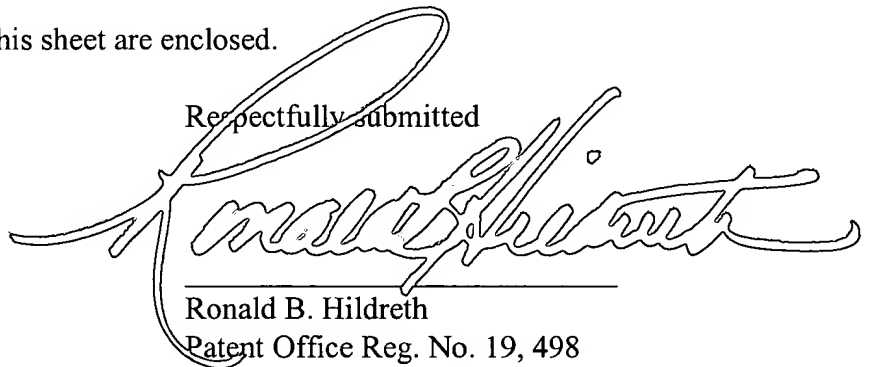
PATENT

Status". Enclosed herewith is a verified statement claiming small entity status for the above-identified application.

The enclosed statement bears the name of the inventors and title of invention. The undersigned attorney, as presently advised, states that the application as identified above on file in the United States Patent and Trademark Office is the application which the inventor executed by signing the enclosed statement.

A \$345 refund of one-half of the filing fee (\$690) paid in this application on August 7, 2000, is hereby respectfully requested as a credit to our Deposit Account No. 02-4377. Two copies of this sheet are enclosed.

Respectfully submitted

A large, stylized handwritten signature in black ink, appearing to read 'Ronald B. Hildreth', is written over a horizontal line. The signature is fluid and cursive, with a large initial 'R'.

Ronald B. Hildreth  
Patent Office Reg. No. 19, 498

Attorney for Applicant  
(212) 408-2544

Enclosure

Baker Botts L.L.P.  
30 Rockefeller Plaza  
New York NY 10112

Applicant or Patentee Gerard Andrew Potter, Lawrence Hylton Patterson,  
Michael Danny Burke  
Serial or Patent No.: PCT/GB99/00416  
Filed or Issued: February 10, 1999  
Title: Hydroxylation Activated Drug Release



**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS**  
**(37 CFR 1.9(f) & 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

**NAME OF NONPROFIT ORGANIZATION:**

De Montfort University

**ADDRESS OF NONPROFIT ORGANIZATION:**

The Gateway, Leicester, Leicestershire LE1 9BH, Great Britain

**TYPE OF NONPROFIT ORGANIZATION:**

- ☒ **UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION**
- ☐ **TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) AND 501(c)(3))**
- ☐ **NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA**  
(NAME OF STATE: \_\_\_\_\_)  
(CITATION OF STATUTE: \_\_\_\_\_)
- ☐ **WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA**
- ☐ **WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA**  
(NAME OF STATE: \_\_\_\_\_)  
(CITATION OF STATUTE: \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees to the United States Patent and Trademark Office regarding the invention described in:

- ☐ the specification filed herewith with title as listed above.
- ☒ the application identified above.
- ☐ the patent identified above.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization regarding the above identified invention. If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities and that no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.  
☐ each such person, concern or organization is listed below.


I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF PERSON SIGNING: PROFESSOR BRIAN SWANICK

TITLE IN ORGANIZATION OF PERSON SIGNING: PRO VICE-CHANCELLOR

ADDRESS OF PERSON SIGNING: DE MONTFORT UNIVERSITY, THE  
GATEWAY, LEICESTER LE1 9BH

SIGNATURE:  DATE: 9/8/00

Applicant or Patentee Gerard Andrew Potter, Lawrence Hylton Patterson,  
Michael Danny Burke  
Serial or Patent No.: PCT/GB99/00416  
Filed or Issued: February 10, 1999  
Title: Hydroxylation Activated Drug Release



**VERIFIED STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(b))  
INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9 (c) for purposes of paying reduced fees under section 41 (a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled described in:

- ☐ the specification filed herewith  
☒ International application no. PCT/GB99/00416  
☒ filed February 10, 1999

I have not assigned, granted, conveyed or licensed except as shown in the attachment hereto and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9 (c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization  
☒ persons, concerns or organizations listed below\*

FULL NAME: De Montfort University  
ADDRESS: The Gateway, Leicester, Leicestershire LE1 9BH, Great Britain

☐ Individual ☐ Small Business Concern ☒ Nonprofit Organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

G.A. Potter

Gerard Andrew Potter

28 JULY 2000

Date

L. H. Patterson

Lawrence Hylton Patterson

8/8/00

Date

M. Danny Burke

Michael Danny Burke

8/18/00

Date